GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Servants - Panchayat Raj and Rural Development Department – Sri G.Vijaya Kumar, AE., MPP., Maddipadu Mandal, Prakasam Dist. - Departmental proceedings initiated under Rule 20 of Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991 – Article of Charges – Issued.

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PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.II) DEPARTMENT

G.O.Rt.No. 429 **Dated:14.05.2018**

ORDER:

It is proposed to hold an inquiry against Sri G.Vijaya Kumar, Assistant Engineer, MPP., Maddipadu Mandal, Prakasam District in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A statement of the imputations of misconduct or misbehaviour in support of each article of charge is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges are proposed to be sustained are also enclosed (Annexure-III and IV).

3. Sri G.Vijaya Kumar, Assistant Engineer, MPP., Maddipadu Mandal, Prakasam District is directed to submit his written statement of defence within ten (10) days of the receipt of this order.

4. Sri G.Vijaya Kumar, Assistant Engineer, MPP., Maddipadu Mandal, Prakasam District is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri G.Vijaya Kumar, Assistant Engineer, MPP., Maddipadu Mandal, Prakasam District is further informed that if he does not submit his Written Statement of Defence on or before the date specified in para 3 above or otherwise fails or refuses to comply with the provisions of rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 or the order/directions issued in pursuance of the said rules, the Inquiry Authority may hold the inquiry against him ex-parte, based on the material available on record.

6. Sri G.Vijaya Kumar, Assistant Engineer, MPP., Maddipadu Mandal, Prakasam District is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt with these proceedings it will be presumed that Sri G.Vijaya Kumar, Assistant Engineer, MPP., Maddipadu Mandal, Prakasam District is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7. The receipt of this G.O. shall be acknowledged forthwith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri G.Vijaya Kumar, AE., MPP., Maddipadu Mandal, Prakasam Dist. **through** the Engineer-in-Chief, Panchayat Raj, Andhra Pradesh, Vijayawada.

The Engineer-in-Chief, Panchayat Raj, Andhra Pradesh, Vijayawada (with a request to serve and return the acknowledged copy and Written Statement of Defense).

Contd.P.2/

Copy to:

The General Administration (Vigilance & Enforcement) Department, Administrative block, 2nd floor, Pandit Nehru Bus Station, Vijayawada.
The Secretary, Andhra Pradesh Vigilance Commission, 5th Block, first floor, Sectt., Buildings, Velagapudi, Guntur Dist.
The Panchayat Raj & Rural Development (Estt.I) Department.
S.f./S.c.

//FORWARDED::BY ORDER//

SECTION OFFICER

ANNEXURE-I

STATEMENT SHOWING THE ARTICLE OF CHARGES FRAMED AGAINST SRI G.VIJAYA KUMAR, AE., MPP., MADDIPADU MANDAL, PRAKASAM DIST.

CHARGE:-

That Sri G.Vijaya Kumar, AE., MPP., Maddipadu Mandal, Prakasam Dist. has committed grave irregularities in execution of Cement and Gravel road works in yedugundlapadu (V), Maddipadu (M), Prakasam District and caused loss to the Government exchequer to a tune of Rs.8,75,428/-, in contravention of APCS (Conduct) Rules, 1964, in as much as he :-

i. Executed and recommended payments for 11 CC roads with substandard quality in Yedugundlapadu Panchayat, Maddipadu Mandal in Prakasam District. Out of 11 works executed, in 6 roads the CC pavement laid is liable for rejection as the deficiency in thickness is more than 25mm (above tolerable limits) and in 5 roads the deficiency in thickness in CC pavement is within allowable limits. The rejected value of work in 6 roads is Rs. 4,66,400/- apart from recovery of Rs. 99,810/- for short thickness in remaining 5 roads.

ii. Recorded and recommended for payment of 3 gravel roads in Yedugundlapadu Mandal without actually doing the work as per sanctioned estimate. A total work value of Rs.1,68,122/- (Rs.64,968 + 76,400+ 26,754) is liable for rejection towards short thickness observed in GSB layer with deficiency more than 20% in all the 3 roads.

iii. Has not shown 6 M.Books pertaining to works taken up in Yedugundlapadu Panchayat to Vigilance & Enforcement staff after receiving complaint on these works.

Thus, Sri G.Vijaya Kumar, Assistant Engineer, MPP., Maddipadu Mandal, Prakasam District by his above mentioned acts, has exhibited lack of integrity, not shown devotion to duty and exhibited conduct unbecoming of a Government Servant, in contravention of Rule - 3 of Andhra Pradesh Civil Services (Conduct) Rules, 1964.

Dr. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE –II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF ARTICLE OF CHARGE FRAMED AGAINST SRI G.VIJAYA KUMAR, AE., MPP., MADDIPADU MANDAL, PRAKASAM DIST.

The V&E Department has inspected fifteen Cement and Gravel road works in Yedugundlapadu Village, Maddipadu Mandal, Prakasam District and furnished their Vigilance Report No.72 (1338/V&E/E/2016), dated:01.08.2017 with the following findings among others :-

i. The quality of CC roads laid were not up to standards, as the average thickness of verified 11 CC roads were not satisfying the standards. The CC pavement laid in 6 roads is liable for rejection due to deficiency in thickness beyond tolerable limits. The amounts were drawn without doing gravel roads.

ii. The Asst. Engineer, MPP., Maddipadu lost 6 M.Books pertaining to the alleged works in Yedugundlapadu. No bill copies were maintained either in Panchayat or by the Asst. Engineer.

iii. A deficiency of 8.66m to 51.33mm was observed in the average thickness of 11 CC roads laid in Yedugundlapadu Village. Out of 11 CC roads verified, in 5 roads, the decficiency in thickness was 8.66mm to 23.67mm which is within tolerable limits of 25mm and the deficiency in 6 roads is beyond tolerable limits and are liable for rejection as per codal provisions. The value of rejected CC pavement was worked out to Rs.4,66,400/-. In the remaining 5 roads, an amount of Rs.99,810/- has to be recovered from the bills of the contractor towards short thickness observed in CC pavement of roads executed.

iv. In the work, "gravelling road from Poleramma gudi to burial ground", the average thickness of gravel base + GSB obtained was 121.67mm and 76.67mm at 60m &90m respectively against a total thickness of 300mm thick as per provisions in the estimate with a deficiency of 59.44 & 74.44%, respectively. The layers are liable for rejection and the value of rejected work is nearly Rs.64,968/-.

v. In the work "Mtc road from D.Lakshminarayana house to SC burial ground", the thickness of GSB layer was verified at chainage 110m and the average thickness observed was 86.67mm against specified 150mm thickness with a deficiency of 63.33mm (42.22% less) and the GSB layer is liable for rejection. The approximate value of rejected value of work is Rs.76,400/-.

vi. In the work "Mtc internal roads in SC Colony", out of 3 gravel roads proposed in the estimate, 2 roads were covered by CC pavements subsequently. In the remaining road, the GSB layer thickness observed was 111mm against 150mm specified with a deficiency of 39mm (26.00% less) which is liable for rejection. The rejected value of work is Rs.26,754/-.

vii. Yedugundlapadu Panchayat proposed 2 gravel roads i.e., Poleramma temple to burial ground and 2)Mtc D.Lakshminarayana house to SC burial ground in both MGNREGS & with Gram Panchayat funds which is duplication of works.

Sri G.Vijaya Kumar, Assistant Engineer is responsible for the above lapses as a first level field staff. Thus, Sri G.Vijaya Kumar, Assistant Engineer, MPP., Maddipadu Mandal, Prakasam District has failed to discharge his legitimate duties properly and acted for his personal gain as he has not executed the above work as per specified provisions and caused loss to the Government, to a tune of Rs.8,75,428/- in contravention of APCS (Conduct) Rules, 1964.

Hence, the charge.

Dr. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE -III

List OF DOCUMENTS BY WHICH THE ARTICLE OF CHARGES FRAMED AGAINST SRI G.VIJAYA KUMAR, AE., MPP., MADDIPADU MANDAL, PRAKASAM DIST. ARE PROPOSED TO BE SUSTAINED.

Vigilance Report No.72 (C.No.1338/V&E/E/2015) dated:01.08.2017

Dr. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER

ANNEXURE-IV

LIST OF WITNESSESS BY WHOM THE ARTICLE OF CHARGES FRAMED AGAINST SRI G.VIJAYA KUMAR, AE., MPP., MADDIPADU MANDAL, PRAKASAM DIST. ARE PROPOSED TO BE SUSTAINED

Nil.

Dr. K.S. JAWAHAR REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

SECTION OFFICER